



Journal of the House

State of Indiana

113th General Assembly

First Regular Session

Eighteenth Meeting Day

Thursday Afternoon

February 13, 2003

The House convened at 1:30 p.m. with the Speaker in the Chair.

The invocation was offered by Pastor Don Moran, Bethesda Baptist Church, Brownsburg, the guest of Representative Matthew D. Whetstone.

The Pledge of Allegiance to the Flag was led by Representative Whetstone.

The Speaker ordered the roll of the House to be called:

T. Adams ☐	Kromkowski
Aguilera	Kruse
Alderman	Kuzman
Austin	LaPlante
Avery	L. Lawson
Ayres	Lehe
Bardon	Leonard
Becker	Liggett
Behning ☐	J. Lutz
Bischoff	Lytle
Borror	Mahern
Bosma	Mangus
Bottorff	Mays
C. Brown	McClain
T. Brown	Moses
Buck	Murphy
Budak	Neese
Buell	Noe
Burton	Orentlicher
Cheney	Oxley ☐
Cherry	Pelath
Chowning	Pflum
Cochran	Pierce
Crawford	Pond
Crooks	Porter
Day	Reske
Denbo	Richardson
Dickinson	Ripley
Dobis	Robertson
Duncan	Ruppel
Dvorak	Saunders
Espich	Scholer ☐
Foley	V. Smith ☐
Frenz	Stevenson ☐
Friend	Stilwell
Frizzell	Stine
Fry	Stutzman
GiaQuinta	Summers
Goodin	Thomas
Grubb	Thompson
Gutwein	Torr
Harris	Turner
Hasler	Ulmer
Heim	Weinzapfel
Herrell	Welch
Hinkle ☐	Whetstone
Hoffman	Wolkins
Kersey	D. Young
Klinker	Yount
Koch	Mr. Speaker

Roll Call 90: 93 present; 7 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, February 17, 2003, at 1:30 p.m.

PELATH

Motion prevailed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1082, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 10-1-11 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]:

Chapter 11. Retailer Education Program

Sec. 1. As used in this chapter, "chemical reagents or precursors" has the meaning set forth in IC 35-48-4-14.5.

Sec. 2. As used in this chapter, "superintendent" refers to the superintendent of the department.

Sec. 3. The superintendent in consultation with local law enforcement agencies may develop and maintain a program to inform retailers about illicit methamphetamine production, distribution, and use in Indiana.

Sec. 4. The superintendent in consultation with local law enforcement agencies may develop procedures and forms for retailers to use to report to the department or another law enforcement agency suspicious purchases, thefts, or other transactions involving any product under the retailers' control that contains chemical reagents or precursors.

Sec. 5. A retailer is not required to report to the department under this chapter.

Sec. 6. A retailer who makes a good faith report to the department or another law enforcement agency under this chapter is immune from civil liability for making the report.

SECTION 2. IC 34-30-2-35.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 35.5. IC 10-1-11-6 (Concerning a retailer who makes a good faith report relating to the sale of a methamphetamine chemical reagent or precursor).

SECTION 3. IC 35-48-1-9.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9.3. (a) "Controlled substance analog" means a substance:

(1) the chemical structure of which is substantially similar to that of a controlled substance included in schedule I or II and that has; or

(2) that a person represents or intends to have; a narcotic, stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to or greater than the narcotic, stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in schedule I or II.

(b) The definition set forth in subsection (a) does not include:

(1) a controlled substance;

(2) a substance for which there is an approved new drug application;

- (3) a substance for which an exemption is in effect for investigational use by a person under Section 505 of the federal Food, Drug and Cosmetic Act (chapter 675, 52 Stat. 1052 (21 U.S.C. 355)), to the extent that conduct with respect to the substance is permitted under the exemption; or
- (4) a substance to the extent not intended for human consumption before an exemption takes effect regarding the substance.

SECTION 4. IC 35-48-4-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 0.5. For purposes of this chapter, a "controlled substance analog" is considered to be a controlled substance in schedule I if the analog is in whole or in part intended for human consumption.

SECTION 5. IC 35-48-4-4.6, AS AMENDED BY P.L.150-1999, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4.6. (a) A person who knowingly or intentionally:

- (1) manufactures;
- (2) finances the manufacture of;
- (3) advertises;
- (4) distributes; or
- (5) possesses with intent to manufacture, finance the manufacture of, advertise, or distribute;

a substance described in section 4.5 of this chapter commits a Class C felony.

(b) A person who knowingly or intentionally possesses a substance described in section 4.5 of this chapter commits a Class C misdemeanor. However, the offense is a Class A misdemeanor if the person has a previous conviction under this section.

(c) In any prosecution brought under this section it is not a defense that the person believed the substance actually was a controlled substance.

(d) This section does not apply to the following:

- (1) The manufacture, financing the manufacture of, processing, packaging, distribution, or sale of noncontrolled substances to licensed medical practitioners for use as placebos in professional practice or research.
- (2) Persons acting in the course and legitimate scope of their employment as law enforcement officers.
- (3) The retention of production samples of noncontrolled substances produced before September 1, 1986, where such samples are required by federal law.

(e) In addition to any other penalty imposed for conviction of an offense under this section, a court shall order restitution pursuant to IC 35-50-5-3 to cover the costs of an environmental cleanup incurred by a law enforcement agency or other person as a result of the offense.

(f) The amount collected under subsection (e) shall be used to reimburse the law enforcement agency that assumed the costs associated with the environmental cleanup described in subsection (e).

SECTION 6. IC 35-48-4-13.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 13.3. A person who recklessly, knowingly, or intentionally takes or allows a person less than eighteen (18) years of age or an endangered adult (as defined in IC 12-10-3-2) into a building, structure, vehicle, or other place that is being used by any person to:

- (1) unlawfully possess drugs or controlled substances; or
- (2) unlawfully:
 - (A) manufacture;
 - (B) keep;
 - (C) offer for sale;
 - (D) sell;
 - (E) deliver; or
 - (F) finance the delivery of;

drugs or controlled substances; commits a Class A misdemeanor. However, the offense is a Class D felony if the person has a prior unrelated conviction under this section.

SECTION 7. IC 35-48-4-14.5, AS AMENDED BY P.L.17-2001, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 14.5. (a) As used in this section, "chemical reagents or precursors" refers to one (1) or more of the following:

- (1) Ephedrine.
- (2) Pseudoephedrine.
- (3) Phenylpropanolamine.
- (4) The salts, isomers, and salts of isomers of a substance identified in subdivisions (1) through (3).
- (5) Anhydrous ammonia or ammonia solution (as defined in IC 22-11-20-1).
- (6) Organic solvents.
- (7) Hydrochloric acid.
- (8) Lithium metal.
- (9) Sodium metal.
- (10) Ether.
- (11) Sulfuric acid.
- (12) Red phosphorous.
- (13) Iodine.
- (14) Sodium hydroxide (lye).
- (15) Potassium dichromate.
- (16) Sodium dichromate.
- (17) Potassium permanganate.
- (18) Chromium trioxide.

(b) A person who possesses ~~anhydrous ammonia or ammonia solution (as defined in IC 22-11-20-1) one (1) or more chemical reagents or precursors~~ with the intent to manufacture methamphetamine, a schedule II controlled substance under IC 35-48-2-6, commits a Class D felony. However, the offense is a Class C felony if the person possessed:

- (1) a firearm while possessing ~~anhydrous ammonia or ammonia solution (as defined in IC 22-11-20-1) one (1) or more chemical reagents or precursors~~ with intent to manufacture methamphetamine, a schedule II controlled substance under IC 35-48-2-6; or
- (2) ~~anhydrous ammonia or ammonia solution (as defined in IC 22-11-20-1) one (1) or more chemical reagents or precursors~~ with intent to manufacture methamphetamine, a schedule II controlled substance under IC 35-48-2-6 in, on, or within one thousand (1,000) feet of:
 - (A) school property;
 - (B) a public park;
 - (C) a family housing complex; or
 - (D) a youth program center.

(c) A person who possesses two (2) or more chemical reagents or precursors with the intent to manufacture:

- (1) Methcathinone, a schedule I controlled substance under IC 35-48-2-4;
- (2) ~~Methamphetamine, a schedule II controlled substance under IC 35-48-2-6;~~
- (3) (2) Amphetamine, a schedule II controlled substance under IC 35-48-2-6; or
- (4) (3) Phentermine, a schedule IV controlled substance under IC 35-48-2-10;

commits a Class D felony.

(d) An offense under subsection (c) is a Class E felony if the person possessed:

- (1) a firearm while possessing two (2) or more chemical reagents or precursors with intent to manufacture methamphetamine, a schedule II controlled substance under IC 35-48-2-6; or
- (2) two (2) or more chemical reagents or precursors with intent to manufacture methamphetamine, a schedule II controlled substance under IC 35-48-2-6 in, on, or within one thousand (1,000) feet of:
 - (A) school property;
 - (B) a public park;
 - (C) a family housing complex; or
 - (D) a youth program center.

(d) A person who sells, transfers, distributes, or furnishes a chemical reagent or precursor to another person with knowledge

or the intent that the recipient will use the chemical reagent or precursors to manufacture methamphetamine, methcathinone, amphetamine, or phentermine commits unlawful sale of a precursor, a Class D felony.

SECTION 8. IC 35-48-4-17 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 17. (a) In addition to any other penalty imposed for conviction of an offense under this chapter involving the manufacture or intent to manufacture methamphetamine, a court shall order restitution under IC 35-50-5-3 to cover the costs, if necessary, of an environmental cleanup incurred by a law enforcement agency or other person as a result of the offense.

(b) The amount collected under subsection (a) shall be used to reimburse the law enforcement agency that assumed the costs associated with the environmental cleanup described in subsection (a).

SECTION 9. [EFFECTIVE JULY 1, 2003] (a) IC 35-48-4-13.3, as added by this act, and IC 35-48-4-14.5, as amended by this act, apply only to acts committed after June 30, 2003.

(b) IC 35-48-1-9.3 and IC 35-48-4-0.5, both as added by this act, apply only to a controlled substance offense under IC 35-48-4 that occurs after June 30, 2003.

(Reference is to HB 1082 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

WEINZAPFEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Appointments and Claims, to which was referred House Bill 1126, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, delete lines 2 through 42, begin a new paragraph and insert:

"SECTION 3. IC 5-10-8-8, AS AMENDED BY P.L.13-2001, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 8. (a) This section applies only to the state and employees who are not covered by a plan established under section 6 of this chapter.

(b) ~~After June 30, 1986, Except as provided in subsection (k),~~ the state shall provide a group health insurance plan to each retired employee:

(1) whose retirement date is:

(A) after June 29, 1986, for a retired employee who was a member of the field examiners' retirement fund;

(B) after May 31, 1986, for a retired employee who was a member of the Indiana state teachers' retirement fund; or

(C) after June 30, 1986, for a retired employee not covered by clause (A) or (B);

(2) who will have reached fifty-five (55) years of age on or before the employee's retirement date but who will not be eligible on that date for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.;

(3) who will have completed twenty (20) years of creditable employment with a public employer on or before the employee's retirement date, ten (10) years of which shall have been completed immediately preceding the retirement; and

(4) who will have completed at least fifteen (15) years of participation in the retirement plan of which the employee is a member on or before the employee's retirement date.

(c) The state shall provide a group health insurance program to each retired employee:

(1) who is a retired judge;

(2) whose retirement date is after June 30, 1990;

(3) who is at least sixty-two (62) years of age;

(4) who is not eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.; and

(5) who has at least eight (8) years of service credit as a participant in the Indiana judges' retirement fund, with at least

eight (8) years of that service credit completed immediately preceding the judge's retirement.

(d) The state shall provide a group health insurance program to each retired employee:

(1) who is a retired participant under the prosecuting attorneys retirement fund;

(2) whose retirement date is after January 1, 1990;

(3) who is at least sixty-two (62) years of age;

(4) who is not eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.; and

(5) who has at least ten (10) years of service credit as a participant in the prosecuting attorneys retirement fund, with at least ten (10) years of that service credit completed immediately preceding the participant's retirement.

(e) The state shall make available a group health insurance program to each former member of the general assembly or surviving spouse of each former member, if the former member:

(1) is no longer a member of the general assembly;

(2) is not eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq. or, in the case of a surviving spouse, the surviving spouse is not eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.; and

(3) has at least ten (10) years of service credit as a member in the general assembly.

A former member or surviving spouse of a former member who obtains insurance under this section is responsible for paying both the employer and the employee share of the cost of the coverage.

(f) The group health insurance program required under subsections (b) through (e) and subsection (k) must be equal to that offered active employees. The retired employee may participate in the group health insurance program if the retired employee pays an amount equal to the employer's and the employee's premium for the group health insurance for an active employee and if the retired employee within ninety (90) days after the employee's retirement date files a written request for insurance coverage with the employer. However, the employer may elect to pay any part of the retired employee's premium with respect to insurance coverage under this chapter.

(g) Except as provided in subsection (j), a retired employee's eligibility to continue insurance under this section ends when the employee becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq., or when the employer terminates the health insurance program. A retired employee who is eligible for insurance coverage under this section may elect to have the employee's spouse covered under the health insurance program at the time the employee retires. If a retired employee's spouse pays the amount the retired employee would have been required to pay for coverage selected by the spouse, the spouse's subsequent eligibility to continue insurance under this section is not affected by the death of the retired employee. The surviving spouse's eligibility ends on the earliest of the following:

(1) When the spouse becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.

(2) When the employer terminates the health insurance program.

(3) Two (2) years after the date of the employee's death.

(4) The date of the spouse's remarriage.

(h) This subsection does not apply to an employee who is entitled to group insurance coverage under IC 20-6.1-6-1(c). An employee who is on leave without pay is entitled to participate for ninety (90) days in any health insurance program maintained by the employer for active employees if the employee pays an amount equal to the total of the employer's and the employee's premiums for the insurance.

(i) An employer may provide group health insurance for retired employees or their spouses not covered by this section and may provide group health insurance that contains provisions more favorable to retired employees and their spouses than required by this section. A public employer may provide group health insurance to an employee who is on leave without pay for a longer period than required by subsection (h).

(j) An employer may elect to permit former employees and their spouses, including surviving spouses, to continue to participate in a group health insurance program under this chapter after the former

employee (who is otherwise qualified under this chapter to participate in a group insurance program) or spouse has become eligible for Medicare coverage as prescribed by 42 U.S.C.A. U.S.C. 1395 et seq. An employer who makes an election under this section may require a person who continues coverage under this subsection to participate in a retiree health benefit plan developed under section 8.3 of this chapter.

(k) The state shall provide a group health insurance program to each retired employee:

(1) who was employed as a teacher in a state institution under:

- (A) IC 11-10-5;
- (B) IC 12-24-3;
- (C) IC 16-33-3;
- (D) IC 16-33-4;
- (E) IC 20-15; or
- (F) IC 20-16;

(2) who is at least fifty-five (55) years of age on or before the employee's retirement date;

(3) who is not eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.; and

(4) who has at least:

- (A) twenty (20) years of service credit as a participant in the retirement fund of which the employee is a member on or before the employee's retirement date; or
- (B) ten (10) years of service credit completed immediately preceding the participant's retirement."

Delete pages 6 through 7.

Page 8, delete lines 1 through 5.

(Reference is to HB 1126 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 2.

HARRIS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1144, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 18, nays 9.

CRAWFORD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1169, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 25, nays 0.

CRAWFORD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred House Bill 1175, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 8-1-26-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 15. (a) **This section applies to recordings made with a county recorder before September 1, 2004.**

(b) Except as provided in subsection (e), an operator that has underground facilities located in Indiana shall record with the county recorder of each county in which the facilities are located a list containing the name of each township in the county in which the

operator has underground facilities, including those facilities that have been abandoned in place by the operator but not yet physically removed. The list must include the name of the operator and the name, title, address, and telephone number of the operator's representative designated to receive the written or telephonic notice of intent required by section 16 of this chapter.

~~(b)~~ **(c)** An operator shall record any changes in the information contained in the list recorded under subsection ~~(a)~~ **(b)** with the county recorder of the county in which these facilities are located within thirty (30) calendar days of the change. The document reflecting the changes shall be cross-referenced to the original list recorded under subsection ~~(a)~~ **(b)**.

~~(c)~~ **(d)** The county recorder shall charge a fee in accordance with IC 36-2-7-10.

~~(d)~~ **(e)** An association meeting the requirements of section 17 of this chapter shall be responsible for providing the information required in subsections ~~(a)~~ **(b)** and ~~(b)~~ **(c)** for the association's members and shall be responsible for paying the fee contained in subsection ~~(c)~~ **(d)** for the association's members.

SECTION 2. IC 8-1-26-15.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 15.5. (a) Except as provided in subsection (b), after August 31, 2004, the association described in section 17(c) of this chapter is responsible for:**

(1) providing the information; and

(2) paying the fee;

required under section 15 of this chapter for each of the association's members.

(b) The association described in section 17(c) of this chapter is not required to provide information or pay a new fee under this section for a member:

(1) that has provided the information and paid the fee required under section 15 of this chapter before September 1, 2004; or

(2) on whose behalf the association has provided the information and paid the fee required under section 15 of this chapter before September 1, 2004;

unless the association receives notice from the member of a change in the information recorded before September 1, 2004, under section 15 of this chapter.

SECTION 3. IC 8-1-26-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 16. (a) Except as provided in section 19 of this chapter, before commencing an excavation or demolition operation described in section 14 of this chapter each person responsible for the excavation or demolition ~~must~~ **shall** serve written or telephonic notice of the person's intent to excavate or demolish. The notice must be received at least two (2) full working days but not more than twenty (20) calendar days before the commencement of the work. However, a person responsible for excavation or demolition may commence work before the elapse of two (2) full working days if all affected operators have notified the person that the location of all the affected operators' facilities have been marked or that the affected operators have no facilities in the location of the proposed excavation or demolition.

(b) For a notice served under this section before September 1, 2004, the notice must be served on each operator, or each operator's association, who has recorded a list required by section 15 of this chapter indicating that the operator has underground facilities located in the proposed area of excavation or demolition.

(c) After August 31, 2004, a notice under this section must be served on the association described in section 17(c) of this chapter. A county recorder who receives an inquiry from a person seeking to provide notice of an excavation or a demolition under this section shall refer the person to the association described in section 17(c) of this chapter. After receiving a notice under this section, the association shall:

(1) determine whether one (1) or more of the association's members have underground facilities located in the proposed area of excavation or demolition, based on recordings made under section 15 or 15.5 of this chapter; and

(2) provide notice of the proposed excavation or demolition to any member identified under subdivision (1) as having underground facilities located in the proposed area of excavation or demolition.

(d) A person responsible for demolition must give an operator a reasonable amount of time, as mutually determined by the operator, the person responsible for demolition, and the project owner, to remove or protect the operator's facilities before demolition of the structure is commenced.

(b)(e) The written or telephonic notice required by subsection (a) must contain the following information:

- (1) The name, address, and telephone number of the person serving the notice, and, if different, the person responsible for the excavation or demolition.
- (2) The starting date, anticipated duration, and type of excavation or demolition operation to be conducted.
- (3) The location of the proposed excavation or demolition.
- (4) Whether or not explosives or blasting are to be used.
- (5) The approximate depth of excavation.

(e)(f) If the notice required by this section is by telephone, the operator or association shall maintain an adequate record of the notice for three (3) years to document compliance with this chapter. A copy of the record shall be furnished to the person giving notice to excavate or demolish upon written request. **For a notice given by telephone after August 31, 2004, the association described in section 17(c) of this chapter is responsible for maintaining the record of notice required by this subsection.**

SECTION 4. IC 8-1-26-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 17. (a) **Before September 1, 2004**, operators, in any combination or group, may form and operate an association in Indiana to record for the association's members the information required by section 15 of this chapter and to provide for mutual receipt of notice of excavation or demolition operations under section 16 of this chapter. An association may provide the service on behalf of operators having underground facilities in Indiana and shall record with the county recorder of the county in which those facilities are located the following information:

- (1) The telephone number and address of the association.
- (2) A description of the geographical area served by the association.
- (3) A list of the names and addresses of each operator receiving the service from the association.

(b) An association formed under this section must have the capability to serve any operator located in Indiana. Associations that qualify under this section include, without limitation, the "One Call" system that is managed by a group of operators in the Indiana Underground Plant Protection Service.

(c) After August 31, 2004, an operator that has underground facilities located in Indiana must be a member of the Indiana Underground Plant Protection Service or its successor organization if the articles of incorporation or the bylaws of the Indiana Underground Plant Protection Service or its successor organization do the following:

- (1)** Provide that the board of directors of the Indiana Underground Plant Protection Service or its successor organization is composed of:
 - (A)** Five (5) members representing electric utilities other than municipal electric utilities, including corporations organized or operating under IC 8-1-13 or corporations organized under IC 23-17, some of whose members are local district corporations (as described in IC 8-1-13-23).
 - (B)** Five (5) members representing investor owned gas utilities, including pipelines.
 - (C)** Five (5) members representing telecommunications providers, including providers of cable television service.
 - (D)** Five (5) members representing water or sewer utilities other than municipal water or sewer utilities.
 - (E)** Five (5) members representing political subdivisions, including municipal utilities.
- (2)** Require the affirmative vote of at least eighty percent (80%) of each category of members in subdivision (1) to

approve an increase, a decrease, or any other adjustment to the membership dues, rates, tariffs, locate fees, or any other charges imposed by the Indiana Underground Plant Protection Service or its successor organization.

(d) The association identified in subsection (c) shall provide the services described in subsection (a) by:

- (1)** recording for the association's members the information required by section 15.5 of this chapter; and
- (2)** providing for mutual receipt of notice of excavation or demolition operations under section 16 of this chapter.

(e) The association identified in subsection (c) shall:

- (1)** annually update the association's grid map data, including street addresses; and
- (2)** make reasonable efforts to reduce incorrect locate requests issued to the association's members."

Delete page 2.

Page 3, delete lines 1 through 18.

Page 3, line 21, reset in roman "or association".

Page 3, line 21, delete "by an association".

Page 4, line 27, reset in roman "or association".

Page 4, line 27, delete "by the association".

Page 4, line 34, delete "report" and insert "repair".

Page 4, delete lines 35 through 42.

Page 5, delete lines 1 through 29.

Page 5, line 32, delete "the" and insert "an".

Renumber all SECTIONS consecutively.

(Reference is to HB 1175 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

STEVENSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred House Bill 1197, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 34 through 36, begin a new line block indented and insert:

"(9) Adopt rules to establish and implement a voluntary exclusion program that meets the requirements of subsection (c)."

Page 3, line 2, after "riverboat" insert "or other facility under the jurisdiction of the commission".

Page 3, line 6, delete "riverboats." and insert "facilities under the jurisdiction of the commission".

Page 3, line 9, delete "onto a riverboat." and insert "to a facility under the jurisdiction of the commission".

Page 3, line 12, delete "riverboat owners" and insert "owner of a facility under the jurisdiction of the commission".

Page 3, line 17, delete "a riverboat" and insert "an".

Page 3, line 17, after "owner" insert "of a facility under the jurisdiction of the commission".

Page 3, line 18, delete "." and insert "within thirty (30) days of the person's entry into the program".

Page 3, line 19, delete "a riverboat" and insert "an".

Page 3, line 19 after "owner" insert "of a facility under the jurisdiction of the commission".

Page 3, line 20, delete "." and insert "or extend credit to the person in any manner".

Page 3, line 21, delete "a riverboat" and insert "an".

Page 3, line 29, after "riverboats" insert "in a program established".

Page 3, line 30, delete "adopted under section 3 of this chapter;" and insert ";".

Page 4, line 16, delete "the greater of:" and insert "twenty-five thousand dollars (\$25,000)".

Page 4, delete lines 17 through 22.

Page 4, run in lines 16 through 23.

Page 5, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 6. IC 4-33-7-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. A person may not receive a supplier's license if:

- (1) the person has been convicted of a felony under Indiana law, the laws of any other state, or laws of the United States;
- (2) the person has knowingly or intentionally submitted an application for a license under this chapter that contains false information;
- (3) the person is a member of the commission;
- (4) the person is an officer, a director, or a managerial employee of a person described in subdivision (1) or (2);
- (5) the person employs an individual who:
 - (A) is described in subdivision (1), (2), or (3); and
 - (B) participates in the management or operation of gambling operations authorized under this article;
- (6) the person owns more than a ten percent (10%) ownership interest in any other person holding an owner's license issued under this ~~chapter~~ **article**; or
- (7) a license issued to the person:
 - (A) under this article; or
 - (B) to supply gaming supplies in another jurisdiction; has been revoked."

Renumber all SECTIONS consecutively.
(Reference is to HB 1197 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

LYTLE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred House Bill 1212, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 10, nays 0.

STEVENSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1379, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 16-18-2-298.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 298.5. "Public conveyance", for purposes of IC 16-41-37, has the meaning set forth in IC 16-41-37-2.5.**

SECTION 2. IC 16-41-37-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 2.5. As used in this chapter, "public conveyance" means a motor vehicle that is designed and constructed to transport at least eight (8) passengers and owned or operated by:**

- (1) a public or governmental agency; or
- (2) a private person who is compensated to transport passengers by a public or governmental agency."

Page 2, line 11, delete "school bus;" and insert **"public conveyance while an individual less than eighteen (18) years of age is present in the public conveyance;"**.

Page 2, line 12, strike "Class B" and insert **"Class C"**.

Page 2, line 12, strike "Class A" and insert **"Class B"**.

(Reference is to HB 1379 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 3.

BOTTORFF, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1439, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, delete "The" and insert **"After December 31, 2006, the"**.

Page 2, line 1, after "(b)" insert **"After December 31, 2006,"**.

Page 2, line 2, delete "The" and insert **"After December 31, 2006, the"**.

Page 2, line 5, delete "JULY" and insert **"JANUARY 1, 2007]"**.

Page 2, delete line 6.

(Reference is to HB 1439 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 2.

BOTTORFF, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1492, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 7, delete "or".

Page 2, between lines 7 and 8, begin a new line block indented and insert:

"(5) eleven (11); or".

Page 2, line 8, delete "(5)" and insert **"(6)"**.

(Reference is to HB 1492 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

BOTTORFF, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1573, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 17, nays 0.

CRAWFORD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Appointments and Claims, to which was referred House Bill 1636, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 9, nays 0.

HARRIS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Appointments and Claims, to which was referred House Bill 1647, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 9, nays 0.

HARRIS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1656, has had the same under consideration and begs leave to report the same back to the House with the

recommendation that said bill do pass.

Committee Vote: yeas 27, nays 1.

CRAWFORD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1708, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 24, nays 1.

CRAWFORD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Interstate and International Cooperation, to which was referred House Bill 1873, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

- Page 3, line 4, delete ", whether".
- Page 3, line 4, delete "at a port or elsewhere".
- Page 3, line 5, after "Indiana," insert "**other than at a port,**".
- Page 7, line 41, delete "To lend the proceeds of any revenue bonds to a borrower".
- Page 7, delete line 42.
- Page 8, delete line 1.
- Page 8, line 2, delete "(8)".
- Run in page 7, line 41 through page 8, line 2.
- Page 8, line 7, reset in roman "(8)".
- Page 8, line 7, delete "(9)".
- Page 8, line 10, reset in roman "(9)".
- Page 8, line 10, delete "(10)".
- Page 8, line 13, reset in roman "(10)".
- Page 8, line 13, delete "(11)".
- Page 8, line 16, reset in roman "(11)".
- Page 8, line 16, delete "(12)".
- Page 8, line 19, reset in roman "(12)".
- Page 8, line 19, delete "(13)".
- Page 9, line 1, delete "(14)" and insert "**(13)**".
- Page 9, line 7, delete "(15)" and insert "**(14)**".
- Page 9, line 16, delete "(16)" and insert "**(15)**".
- Page 9, line 22, delete "(17)" and insert "**(16)**".
- Page 9, line 24, delete "(18)" and insert "**(17)**".
- Page 9, line 26, delete "(19)" and insert "**(18)**".
- Page 15, line 20, delete "section 16.5 of this chapter." and insert "**IC 8-10-4.**".
- Page 18, delete lines 10 through 33.
- Page 21, line 23, delete "or project".
- Page 21, line 24, after "." insert "**However, an exemption under this subsection is not available for land not located at a port.**".

Page 22, line 7, strike "port".

Page 22, line 8, delete "or".

Page 22, line 13, after "a" strike "port".

Page 22, line 13, after "a port" delete "or".

Page 22, line 13, reset in roman "term".

Page 22, line 13, delete "terms".

Page 22, line 13, strike ""port"".

Page 22, line 13, after ""port"" delete "and".

Page 22, after line 28, begin a new paragraph and insert:

"SECTION 24. IC 8-10-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) As used in this chapter, "self-liquidating ~~port~~ project" shall mean a ~~port~~ project for which a lease or leases have been executed providing for payment of rental in an amount at least sufficient to pay the interest and principal of such bonds to be issued to finance the cost of such ~~port~~ project and further providing for the payment by the lessee or lessees of all costs of maintenance, repair, and insurance of such ~~port~~ project.

(b) Other words and terms used in this chapter shall have the same meaning as in other provisions of this article, unless otherwise

specifically provided.

SECTION 25. IC 8-10-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. In addition to the powers conferred upon the Indiana port commission by other provisions of this article, the commission, in connection with any self-liquidating ~~port~~ project, shall have the following powers notwithstanding any other provision of this article to the contrary:

(a) The revenue bonds issued by the commission to finance the cost of such self-liquidating ~~port~~ project may be issued without regard to any maximum interest rate limitation in this article or any other law.

(b) The revenue bonds issued by the commission to finance the cost of such self-liquidating ~~port~~ project may be sold in such manner, either at public or private sale, as the commission may determine, and the provisions of IC 4-1-5 shall not be applicable to such sale.

(c) **IC 4-13.6, IC 5-16 (other than IC 5-16-7), and IC 36-1-12 do not apply to projects to be leased to a private party whose lease payments are expected to be sufficient to pay all debt service on bonds issued by the commission to finance the project. However, the private party must comply with IC 5-16-7.**

SECTION 26. IC 8-10-4-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. Any lease of a ~~port~~ project may provide that the lessee, as its reasonable portion of the commission's administrative expense incurred during the term of the lease which the lessee is required to pay by IC 8-10-1-10, shall pay to the commission for the use of the harbor, the public docking facilities and public wharves and piers, all harbor, dockage, and wharfage charges established by the commission.

SECTION 27. IC 8-10-4-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. The cost of any ~~port~~ project may include, instead of the cost of the acquisition of the land constituting the site of such ~~port~~ project, the value of such land as determined by the commission. The proceeds of any revenue bonds representing the value of such land shall be deposited in the Indiana port fund.

SECTION 28. IC 8-10-4-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. The commission may contract for the use of any license, process or device, whether patented or not, which the commission finds is necessary for the operation of any ~~port~~ project, and may permit the use thereof by any lessee on such terms and conditions as the commission may determine. The cost of such license, process or device may be included as part of the cost of the ~~port~~ project."

Renumber all SECTIONS consecutively.

(Reference is to HB 1873 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

KROMKOWSKI, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred House Bill 1931, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 4 through 5.

Page 1, line 6, delete "(2)" and insert "**(1)**".

Page 1, line 7, delete "Indiana;" and insert "**the United States of America;**".

Page 1, line 8, delete "(3)" and insert "**(2)**".

Page 1, line 8, delete "one (1)" and insert "**single family or two (2)**".

Page 1, line 13, delete "builder." and insert "**builder of the qualifying residence.**".

Page 1, delete lines 14 through 17.

Page 2, line 1, delete "(d)" and insert "**(c)**".

Page 2, line 1, delete "or (c)".

Page 2, line 4, delete "labor and".

Page 2, line 5, delete "two" and insert "**one**".
 Page 2, line 5, delete "(\$2,000)." and insert "**(\$1,000).**".
 Page 2, line 6, delete "(e)" and insert "(d)".
 Page 2, line 7, delete "or builder".
 Page 2, line 8, delete "labor and".
 Page 2, line 10, delete "labor or".

(Reference is to HB 1931 as introduced.)
 and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

STEVENSON, Chair

Report adopted.

HOUSE BILLS ON SECOND READING

House Bill 1056

Representative Goodin called down House Bill 1056 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1056-1)

Mr. Speaker: I move that House Bill 1056 be amended to read as follows:

Page 2, between lines 3 and 4, begin a new paragraph and insert:
"(c) This subsection applies if the governing body of a school corporation has not adopted a policy under subsection (b). The following individuals may establish a policy that conforms with the requirements set forth in subsection (b):

- (1) The principal of a school may establish a policy for a school building.**
- (2) A teacher may establish a policy for the teacher's classroom, if the principal of the school in which the teacher teaches has not established a policy.**

If the governing body of the school corporation establishes a policy after a principal or teacher has established a policy, the principal or teacher must follow the governing body's policy."

Page 2, between lines 20 and 21, begin a new paragraph and insert:

"(c) This subsection applies if the governing body of a school corporation has not adopted a policy under subsection (a). The following individuals may establish a policy that conforms with the requirements set forth in subsection (b):

- (1) The principal of a school may establish a policy for a school building.**
- (2) A teacher may establish a policy for the teacher's classroom, if the principal of the school in which the teacher teaches has not established a policy.**

If the governing body of the school corporation establishes a policy after a principal or teacher has established a policy, the principal or teacher must follow the governing body's policy."

(Reference is to HB 1056 as printed February 7, 2003.)

GOODIN

Motion prevailed. The bill was ordered engrossed.

House Bill 1059

Representative Cheney called down House Bill 1059 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1088

Representative Austin called down House Bill 1088 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1141

Representative C. Brown called down House Bill 1141 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1219

Representative Kuzman called down House Bill 1219 for second

reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1397

Representative Summers called down House Bill 1397 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1417

Representative Budak called down House Bill 1417 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1437

Representative Welch called down House Bill 1437 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1464

Representative L. Lawson called down House Bill 1464 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1474

Representative Kersey called down House Bill 1474 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1474-1)

Mr. Speaker: I move that House Bill 1474 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-12-9, AS AMENDED BY P.L.291-2001, SECTION 131, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9. (a) An individual may obtain a deduction from the assessed value of the individual's real property, or mobile home or manufactured home which is not assessed as real property, if:

- (1) the individual is at least sixty-five (65) years of age on or before December 31 of the calendar year preceding the year in which the deduction is claimed;**
- (2) the combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) of:**
 - (A) the individual and the individual's spouse; or**
 - (B) the individual and all other individuals with whom:**
 - (i) the individual shares ownership; or**
 - (ii) the individual is purchasing the property under a contract;**

as joint tenants or tenants in common;
for the calendar year preceding the year in which the deduction is claimed did not exceed twenty-five thousand dollars (\$25,000);

- (3) the individual has owned the real property, mobile home, or manufactured home for at least one (1) year before claiming the deduction; or the individual has been buying the real property, mobile home, or manufactured home under a contract that provides that the individual is to pay the property taxes on the real property, mobile home, or manufactured home for at least one (1) year before claiming the deduction, and the contract or a memorandum of the contract is recorded in the county recorder's office;**
- (4) the individual and any individuals covered by subdivision (2)(B) reside on the real property, mobile home, or manufactured home;**
- (5) the assessed value of the real property, mobile home, or manufactured home does not exceed ~~sixty-nine one hundred forty-four~~ thousand dollars (~~\$69,000~~); (\$144,000); and**
- (6) the individual receives no other property tax deduction for the year in which the deduction is claimed, except the deductions provided by sections 1, 37, and 38 of this chapter.**

(b) Except as provided in subsection (h), in the case of real

property, an individual's deduction under this section equals the lesser of:

- (1) one-half (1/2) of the assessed value of the real property; or
- (2) six thousand dollars (\$6,000).

(c) Except as provided in subsection (h) and section 40.5 of this chapter, in the case of a mobile home that is not assessed as real property or a manufactured home which is not assessed as real property, an individual's deduction under this section equals the lesser of:

- (1) one-half (1/2) of the assessed value of the mobile home or manufactured home; or
- (2) six thousand dollars (\$6,000).

(d) An individual may not be denied the deduction provided under this section because the individual is absent from the real property, mobile home, or manufactured home while in a nursing home or hospital.

(e) For purposes of this section, if real property, a mobile home, or a manufactured home is owned by:

- (1) tenants by the entirety;
- (2) joint tenants; or
- (3) tenants in common;

only one (1) deduction may be allowed. However, the age requirement is satisfied if any one (1) of the tenants is at least sixty-five (65) years of age.

(f) A surviving spouse is entitled to the deduction provided by this section if:

- (1) the surviving spouse is at least sixty (60) years of age on or before December 31 of the calendar year preceding the year in which the deduction is claimed;
- (2) the surviving spouse's deceased husband or wife was at least sixty-five (65) years of age at the time of a death;
- (3) the surviving spouse has not remarried; and
- (4) the surviving spouse satisfies the requirements prescribed in subsection (a)(2) through (a)(6).

(g) An individual who has sold real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property may not claim the deduction provided under this section against that real property.

(h) In the case of tenants covered by subsection (a)(2)(B), if all of the tenants are not at least sixty-five (65) years of age, the deduction allowed under this section shall be reduced by an amount equal to the deduction multiplied by a fraction. The numerator of the fraction is the number of tenants who are not at least sixty-five (65) years of age, and the denominator is the total number of tenants."

Page 3, line 25, strike "fifty-four" and insert "**one hundred thirteen**".

Page 3, line 25, strike "(\$54,000)." and insert "**(\$113,000).**".

Page 3, delete lines 33 through 36, begin a new paragraph and insert:

"SECTION 3. IC 6-1.1-12-17.4, AS AMENDED BY P.L.291-2001, SECTION 139, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 17.4. (a) Except as provided in section 40.5 of this chapter, a World War I veteran who is a resident of Indiana is entitled to have the sum of nine thousand dollars (\$9,000) deducted from the assessed valuation of the real property (including a mobile home that is assessed as real property), mobile home that is not assessed as real property, or manufactured home that is not assessed as real property the veteran owns or is buying under a contract that requires the veteran to pay property taxes on the real property, if the contract or a memorandum of the contract is recorded in the county recorder's office, if:

- (1) the real property, mobile home, or manufactured home is the veteran's principal residence;
- (2) the assessed valuation of the real property, mobile home, or manufactured home does not exceed ~~seventy-eight one hundred sixty-three~~ thousand dollars (~~\$78,000~~); (**\$163,000**); and
- (3) the veteran owns the real property, mobile home, or manufactured home for at least one (1) year before claiming the deduction.

(b) An individual may not be denied the deduction provided by this section because the individual is absent from the individual's

principal residence while in a nursing home or hospital.

(c) For purposes of this section, if real property, a mobile home, or a manufactured home is owned by a husband and wife as tenants by the entirety, only one (1) deduction may be allowed under this section. However, the deduction provided in this section applies if either spouse satisfies the requirements prescribed in subsection (a).

(d) An individual who has sold real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property, mobile home, or manufactured home may not claim the deduction provided under this section with respect to that real property, mobile home, or manufactured home.

SECTION 4. IC 6-1.1-12-18, AS AMENDED BY P.L.90-2002, SECTION 110, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 18. (a) If the assessed value of residential real property described in subsection (d) is increased because it has been rehabilitated, the owner may have deducted from the assessed value of the property an amount not to exceed the lesser of:

- (1) the total increase in assessed value resulting from the rehabilitation; or
- (2) nine thousand dollars (\$9,000) per rehabilitated dwelling unit.

The owner is entitled to this deduction annually for a five (5) year period.

(b) For purposes of this section, the term "rehabilitation" means significant repairs, replacements, or improvements to an existing structure which are intended to increase the livability, utility, safety, or value of the property under rules adopted by the department of local government finance.

(c) For the purposes of this section, the term "owner" or "property owner" includes any person who has the legal obligation, or has otherwise assumed the obligation, to pay the real property taxes on the rehabilitated property.

(d) The deduction provided by this section applies only for the rehabilitation of residential real property which is located within this state and which is described in one (1) of the following classifications:

- (1) A single family dwelling if before rehabilitation the assessed value (excluding any exemptions or deductions) of the improvements does not exceed ~~eighteen thirty-eight~~ thousand dollars (~~\$18,000~~); (**\$38,000**).
- (2) A two (2) family dwelling if before rehabilitation the assessed value (excluding exemptions or deductions) of the improvements does not exceed ~~twenty-four fifty~~ thousand dollars (~~\$24,000~~); (**\$50,000**). and
- (3) A dwelling with more than two (2) family units if before rehabilitation the assessed value (excluding any exemptions or deductions) of the improvements does not exceed ~~nine nineteen~~ thousand dollars (~~\$9,000~~) (**\$19,000**) per dwelling unit.

SECTION 5. [EFFECTIVE UPON PASSAGE] (a) **The following, all as amended by this act, apply to property taxes first due and payable after December 31, 2003:**

- (1) IC 6-1.1-12-9.
- (2) IC 6-1.1-12-13.
- (3) IC 6-1.1-12-14.
- (4) IC 6-1.1-12-17.4.
- (5) IC 6-1.1-12-18.

(b) **Notwithstanding any other law, a property owner entitled to a deduction for the first time under:**

- (1) IC 6-1.1-12-9;
- (2) IC 6-1.1-12-13;
- (3) IC 6-1.1-12-14;
- (4) IC 6-1.1-12-17.4; or
- (5) IC 6-1.1-12-18;

all as amended by this act, may claim the deduction for property taxes first due and payable in 2004 if the property owner files the appropriate deduction application before July 1, 2003.

(c) **This SECTION expires December 31, 2004.**

SECTION 6. **An emergency is declared for this act.**

Renumber all SECTIONS consecutively.

(Reference is to HB 1474 as printed February 11, 2003.)

HERRELL

Motion prevailed. The bill was ordered engrossed.

House Bill 1479

Representative Kersey called down House Bill 1479 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1479-1)

Mr. Speaker: I move that House Bill 1479 be amended to read as follows:

Page 1, delete lines 1 through 7.

Page 2, line 1, reset in roman "The jury may".

Page 2, line 1, reset in roman "be informed of any immunity defense that is".

Page 2, reset in roman lines 2 through 5.

Page 2, line 6, reset in roman "been named as a party".

Page 2, line 32, reset in roman "The jury may".

Page 2, line 32, reset in roman "be informed of any immunity defense that might".

Page 2, reset in roman lines 33 through 36.

Page 2, line 37, reset in roman "was or could have been named as a party".

Renumber all SECTIONS consecutively.

(Reference is to HB 1479 as printed February 11, 2003.)

FOLEY

Motion prevailed. The bill was ordered engrossed.

House Bill 1510

Representative Welch called down House Bill 1510 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1511

Representative Welch called down House Bill 1511 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1529

Representative Stilwell called down House Bill 1529 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1529-2)

Mr. Speaker: I move that House Bill 1529 be amended to read as follows:

Page 4, line 19, after "utility," insert **"and after notice and hearing,"**.

Page 18, line 38, delete "five tenths" and insert **"five-tenths"**.

Page 18, line 40, delete "energy," and insert **"energy"**.

(Reference is to HB 1529 as printed February 11, 2003.)

STILWELL

Motion prevailed.

HOUSE MOTION
(Amendment 1529-1)

Mr. Speaker: I move that House Bill 1529 be amended to read as follows:

Page 10, line 9, delete "or".

Page 10, line 12, delete "waste." and insert **"waste; or**

(4) conveyance of telegraph or telephone messages."

Page 12, line 13, after "(3)" insert **"a public utility that conveys telegraph or telephone messages;**

(4)".

Page 12, line 14, delete "(4)" and insert **"(5)".**

Page 12, line 35, delete "power or" and insert **"power,"**.

Page 12, line 37, delete "waste." and insert **"waste, or the conveyance of telegraph or telephone messages."**

Page 18, line 38, delete "five tenths" and insert **"five-tenths"**.

(Reference is to HB 1529 as printed February 11, 2003.)

CROOKS

After discussion, Representative Crooks withdrew the motion.

There being no further amendments, the bill was ordered engrossed.

House Bill 1553

Representative Liggett called down House Bill 1553 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1553-1)

Mr. Speaker: I move that House Bill 1553 be amended to read as follows:

Page 2, between lines 9 and 10, begin a new line block indented and insert:

"(4) Administer the mine safety fund established under IC 22-10-12-16."

Page 2, line 27, delete "equipment;" and insert **"equipment for the bureau of mines and mine safety created under IC 22-1-1-4 and deposit the assessment in the mine safety fund established under IC 22-10-12-16; "**

Page 2, after line 32, begin a new paragraph and insert:

"SECTION 3. IC 22-10-12-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 16. (a) The mine safety fund is established to provide funding for the purchase and maintenance of underground mine rescue equipment.

(b) The department of labor shall administer the fund.

(c) The fund consists of:

(1) assessments collected by the mining board under IC 22-10-1.5-5(a)(5) and deposited into the fund; and

(2) interest from investments as accrued and deposited under subsection (e).

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accumulates from these investments shall be deposited into the fund.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund."

(Reference is to HB 1553 as printed February 7, 2003.)

LIGGETT

Motion prevailed. The bill was ordered engrossed.

House Bill 1596

Representative Duncan called down House Bill 1596 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1622

Representative Bischoff called down House Bill 1622 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1622-1)

Mr. Speaker: I move that House Bill 1622 be amended to read as follows:

Page 2, between lines 37 and 38, begin a new paragraph and insert:

"(i) An audit of a county shall include, but not be limited to, an audit of that county's soil and water conservation district established under IC 14-32."

(Reference is to HB 1622 as printed February 11, 2003.)

FRIEND

Motion prevailed. The bill was ordered engrossed.

House Bill 1632

Representative Welch called down House Bill 1632 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1657

Representative Wolkins called down House Bill 1657 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1700

Representative Murphy called down House Bill 1700 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1713

Representative Klinker called down House Bill 1713 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1748

Representative Fry called down House Bill 1748 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1715

Representative Klinker called down House Bill 1715 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1774

Representative Pelath called down House Bill 1774 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1798

Representative Bottorff called down House Bill 1798 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1798-1)

Mr. Speaker: I move that House Bill 1798 be amended to read as follows:

Page 3, line 13, delete "that has adopted the provisions of" and insert ".".

Page 3, delete line 14.

Page 3, delete lines 41 through 42, begin a new paragraph and insert:

"(b) The board:

(1) has exclusive jurisdiction over the collection and disposal of storm water within the district; **and**

(2) **may require only surveying functions to be performed that are necessary to implement this chapter."**

Page 6, line 15, delete "that has adopted the" and insert "; and".

Page 6, delete line 16.

Page 8, line 33, delete "screen" and insert "**map, screen, or otherwise monitor**".

Page 10, between lines 5 and 6, begin a new paragraph and insert:

"(h) The compensation for the service provided to the county shall, in the manner prescribed by IC 8-1.5-5-16.5, be treated as revenue of the storm water system and paid into the accounts created under IC 8-1.5-5."

(Reference is to HB 1798 as printed February 4, 2003.)

BOTTORFF

Motion prevailed.

HOUSE MOTION
(Amendment 1798-2)

Mr. Speaker: I move that House Bill 1798 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new

paragraph and insert:

"SECTION 1. IC 8-1.5-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. (a) The legislative body of a municipality may, by ordinance, provide for the control of any or all of its municipally owned utilities by:

(1) the municipal works board;

(2) a board consisting of the members of the municipal legislative body;

(3) a utility service board established under subsection ~~(c)~~ (f) or established before January 1, 1983, under IC 8-1-2-100 (repealed); or

(4) the board of directors of a department of waterworks established under IC 8-1.5-4.

The legislative body of a municipality also may adopt an ordinance under this subsection to provide for the control of any or all of its storm water facilities by a board described in subdivisions (1) through (4). An ordinance granting control of any or all of a municipality's storm water facilities to a board described in this subsection may be separate from or combined with an ordinance granting control of the municipality's municipally owned utilities to a board described in this subsection.

(b) If, at the time an ordinance is adopted under subsection (a) to grant control of any or all of the municipality's storm water facilities to a board described in subsection (a) the municipality has a department of storm water management under IC 8-1.5-5, the ordinance must specify a procedure for the transition of control of the affected storm water facilities from the board of directors of the department of storm water management to the board described in subsection (a).

(c) The registered voters of a municipality may file a petition addressed to the legislative body requesting that the question of the creation of a utility service board be submitted to a referendum. The petition must be signed by at least the number of the registered voters of the municipality required under IC 3-8-6-3 to place a candidate on the ballot.

~~(c)~~ (d) Within thirty (30) days after a petition is filed, the municipal clerk shall certify to the legislative body and to the county election board that a sufficient petition has been filed.

~~(d)~~ (e) Following certification, the legislative body shall submit the question of the creation of a utility service board to a referendum at the next election. The question shall be submitted to the registered voters of the municipality by placement on the ballot in the form prescribed by IC 3-10-9-4 and must state:

"Shall the legislative body of the municipality of _____ adopt an ordinance providing for the appointment of a utility service board to operate _____ (Insert name of utility here)?"

~~(e)~~ (f) If a majority of the voters voting on the question vote for the creation of a utility service board, the legislative body shall, by ordinance, establish a utility service board consisting of not less than three (3) nor more than seven (7) members. Not more than two-thirds (2/3) of the members may be of the same political party. All members must be residents of the area served by the board. The ordinance must provide for:

(1) a majority of the members to be appointed by the executive and a minority of the members to be appointed by the legislative body;

(2) the terms of the members, which may not exceed four (4) years, with initial terms prescribed so that the members' terms will be staggered;

(3) the salaries, if any, to be paid to the members; and

(4) the selection by the board of a chairman, who shall not be considered the head of a department for purposes of IC 36-4-9-2.

~~(f)~~ (g) The registered voters of the municipality may also file a petition requesting that the question of the abolition of the utility service board be submitted to a referendum. The procedure for filing of the petition and the referendum is the same as that prescribed by subsections ~~(b)~~ (c) through ~~(d)~~ (e)."

Page 1, line 16, after "the" insert ": (A) "

Page 1, line 17, delete "." and insert "; **or (B) board that controls the municipality's municipally owned utilities under IC 8-1.5-3-**

3(a) if the municipality has adopted an ordinance under IC 8-1.5-3-3(a) that provides for the control of any or all of the municipality's storm water facilities by the board that controls the municipality's municipally owned utilities."

Page 2, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 6. IC 8-1.5-5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. (a) This section applies to all municipalities except a consolidated city.

(b) If the legislative body of a municipality adopts the provisions of this chapter by ordinance, a department of storm water management is established and is controlled by a board of directors.

(c) Except as provided in ~~subsection~~ **subsections (f) and (g)**, the board consists of three (3) directors. The executive of the municipality shall appoint the directors, not more than two (2) of whom may be of the same political party.

(d) Except as provided in ~~subsection~~ **subsections (f) and (g)**, the legislative body shall prescribe, by ordinance, the terms of the directors. However, the legislative body must prescribe the initial terms of the directors so that they will be staggered.

(e) The executive may remove a director at any time when, in the judgment of the executive, it is for the best interest of the department.

(f) If a second class city has a department of public sanitation under IC 36-9-25, the executive of the city may appoint the members of the board of sanitary commissioners as the board of directors of the department of storm water management. The terms of the members of the board of directors are the same as the terms of the members of the board of sanitary commissioners under IC 36-9-25-4.

(g) If a municipality:

(1) has a board that controls the municipality's municipally owned utilities under IC 8-1.5-3-3(a); and

(2) has adopted an ordinance under IC 8-1.5-3-3(a) that provides for the control of any or all of the municipality's storm water facilities by the board that controls the municipality's municipally owned utilities;

the members of the board that controls the municipality's municipally owned utilities shall serve as the board of directors of the department of storm water management, subject to any transition procedure specified in the ordinance under IC 8-1.5-3-3(b). The terms of the members of the board of directors are the same as the terms of the members of the board that controls the municipality's municipally owned utilities under IC 8-1.5-3-3(a), subject to the completion of any transition procedure specified in the ordinance under IC 8-1.5-3-3(b).

(h) A member of the board of directors of the department of storm water management who:

(1) is appointed under subsection (f); or

(2) is a member of the board under subsection (g) and receives a salary as a member of the board that controls the municipality's municipally owned utilities;

is not entitled to a salary for serving as a member of the board of directors of the department of storm water management. However, a member shall be reimbursed for necessary expenses incurred by the member in the performance of official duties."

Page 8, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 19. IC 8-1.5-5-24 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 24. (a) **This section does not apply to a municipality in which the board is the entity that owns or maintains the municipality's sanitary sewer system under an ordinance adopted by the municipality under IC 8-1.5-3-3(a).**

(b) Whenever work on a storm water system (that is combined with a sanitary sewer system) necessitates the repair or replacement of all or part of a sanitary sewer system, the entity that owns or maintains the sanitary sewer system shall assume a proportionate share of the cost of repairing or replacing the sanitary sewer system.

~~(b)~~ **(c) The board and the entity that owns or manages the sanitary sewer system shall negotiate the division of the costs described in subsection ~~(a)~~ (b).**

~~(c)~~ **(d) If the parties cannot agree to a division of the costs, they shall petition the circuit court of the county where the majority of the**

systems are located to divide the costs. The circuit court shall hold a hearing on the division of costs within sixty (60) days after receiving the petition. The court shall publish notice of the hearing in accordance with IC 5-3-1. The decision of the court is binding on both parties."

Renumber all SECTIONS consecutively.

(Reference is to HB 1798 as printed February 4, 2003.)

FRIEND

Motion prevailed. The bill was ordered engrossed.

House Bill 1933

Representative Ayres called down House Bill 1933 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Dobis.

Engrossed House Bill 1218

Representative Grubb called down Engrossed House Bill 1218 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 91: yeas 91, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Altling and Craycraft.

Engrossed House Bill 1260

Representative Avery called down Engrossed House Bill 1260 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 92: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Long and Broden.

Engrossed House Bill 1325

Representative Goodin called down Engrossed House Bill 1325 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 93: yeas 90, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator C. Meeks.

Engrossed House Bill 1545

Representative Fry called down Engrossed House Bill 1545 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 94: yeas 91, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Paul and Lanane.

The Speaker Pro Tempore yielded the gavel to the Speaker.

Engrossed House Bill 1702

Representative C. Brown called down Engrossed House Bill 1702 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 95: yeas 48, nays 45. The bill failed for lack of a constitutional majority.

Engrossed House Bill 1704

Representative C. Brown called down Engrossed House Bill 1704 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 96: yeas 91, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Miller, Breaux, and S. Smith.

Engrossed House Bill 1724

Representative Welch called down Engrossed House Bill 1724 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 97: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Ford and Broden.

Engrossed House Bill 1792

Representative Hasler called down Engrossed House Bill 1792 for third reading:

A BILL FOR AN ACT concerning Medicaid and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 98: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Dillon and Broden.

OTHER BUSINESS ON THE SPEAKER'S TABLE

STATEMENT BY SPEAKER BAUER REGARDING LEGISLATOR REQUESTS TO LSA

Senator Garton and I have discussed and concurred with respect to legislators' requesting bill drafts, amendments, and research from LSA.

We are in agreement that the policy dealing with LSA is what it was always intended to be, and has traditionally been—that the only persons authorized to have direct contact on legislative matters with LSA staff are the elected members of this body and their legislative assistants. Representative Dobis, Representative Bosma, and Senator R. Young are in agreement.

This policy is being reemphasized to assure better communication between legislators and LSA. This policy should result in a better legislative work product and protect LSA employees from inappropriate *ex parte* contacts.

I would suggest that the safest course of action is to put all of your requests in writing.

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bills 1126, 1439, 1661, 1873, and 1931 had been referred to the Committee on Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 208, 326, 332, 395, 401, 412, 475, and 488 and the same are herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

HOUSE MOTION

Mr. Speaker: I move that Representative Budak be added as coauthor of House Bill 1088.

AUSTIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Becker, C. Brown, and Budak be added as coauthors of House Bill 1107.

HASLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as coauthor of House Bill 1163.

DICKINSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Mahern be added as coauthor of House Bill 1273.

WEINZAPFEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Budak be added as coauthor of House Bill 1353.

MOSES

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hasler be added as coauthor of House Bill 1393.

BISCHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative D. Young be added as coauthor of House Bill 1479.

KERSEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative J. Lutz be added as coauthor of House Bill 1529.

STILWELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Leonard be added as coauthor of House Bill 1553.

LIGGETT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Becker, Avery, and Weinzapfel be added as coauthors of House Bill 1645.

HASLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Budak be added as coauthor of House Bill 1774.

PELATH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Murphy be added as coauthor of House Bill 1788.

HASLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Austin, Murphy, and Dvorak be added as coauthors of House Bill 1789.

HASLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Becker be added as coauthor of House Bill 1791.

HASLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Gutwein be added as coauthor of House Bill 1797.

CHOWNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Buck and Frizzell be added as coauthors of House Bill 1822.

RESKE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Murphy be removed as coauthor of House Bill 1826.

LEONARD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Stutzman be added as coauthor of House Bill 1977.

FRIEND

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Mays, the House adjourned at 3:10 p.m., this thirteenth day of February, 2003, until Monday, February 17, 2003, at 1:30 p.m.

B. PATRICK BAUER

Speaker of the House of Representatives

DIANE MASARIU CARTER

Principal Clerk of the House of Representatives